

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

RICHARD LOWERY,

Plaintiff,

v.

LILLIAN MILLS, et al.,

Defendants.

Case No. 1:23-cv-129-DAE

SUPPLEMENTAL DECLARATION OF ENDEL KOLDE
IN SUPPORT OF PLAINTIFF'S MOTION TO EXTEND DEADLINES

I, Endel Kolde, declare the following:

1. I am an adult and competent to make this declaration. I am lead counsel for Richard Lowery in this case.

2. In the past two weeks, UT has objected to or requested to confer about two different sets of RPFs (without producing any new documents), moved for a protective order, opposed a motion to compel, rescheduled a planned conferral, and

needed thirteen days to correct false information in one of its interrogatory's answers about when Defendant Mills texted with Meeta Kothare about Lowery's speech, that Plaintiff pointed out.

3. We found out that Almazan had emailed Titman and Alti about Lowery's public criticism of Hartzell on August 8, 2022 (just before UT began trying to silence Lowery), only once UT produced documents in late October. I asked about this email at Titman's deposition, but he claimed not to recall the conversation referenced in it.


4. We have requested communications about Lowery from Almazan and Alti in discovery, but so far, UT has been unwilling to produce any responsive documents or even indicate whether UT has searched for them. Counsel conferred on these issues today and plan to confer again next week.

5. We have reason to believe that Almazan and Alti are friends of Jay Hartzell's going back to the time when Hartzell was Dean of the McCombs School.

6. A true and correct copy of the email referred to above that was produced to us by UT is attached as Exhibit A.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this date, January 19, 2024.



Endel Kolde